

23002. Adulteration and misbranding of whisky. U. S. v. 35 Cases of Whisky. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 33004. Sample no. 62228-A.)

This case involved a product labeled "Whiskey For Medicinal Purposes", which failed to conform to the requirements of the United States Pharmacopoeia. The package failed to bear on its label a statement of the percentage of alcohol by volume.

On or about June 27, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 35 cases of whisky at Washington, D. C., alleging that the article had been shipped in interstate commerce, on or about February 21, 1934, by Jos. S. Finch & Co., from Schenley, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Blackstone Brand Whiskey A Blend."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement, "For Medicinal Purposes Only", borne on the label, was false and misleading, and for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On July 6, 1934, the International Distilling & Distributing Corporation, Washington, D. C., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant under a bond conditioned that it be relabeled to comply with the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

23003. Adulteration and misbranding of whisky. U. S. v. 12 Cases of Whisky. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 33005. Sample no. 62222-A.)

This case involved a shipment of whisky, labeled "For Medicinal Purposes", which fell below the requirements of the United States Pharmacopoeia, and which failed to bear on the label a statement of the percentage of alcohol by volume.

On June 27, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 12 cases of whisky at Washington, D. C., alleging that the article had been shipped in interstate commerce, on or about March 14, 1934, by the Valley Distilleries, from Louisville, Ky., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Bourbon Prince Whiskey * * * Valley Distilleries, Henderson Kentucky"; (internal revenue stamp) "Brown-Forman Distillery Co., Louisville, Kentucky."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation and its own standard was not stated on the label.

Misbranding was alleged in that the statement on the label, "For Medicinal Purposes Only", was false and misleading, and in that the packages failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On July 20, 1934, judgment of condemnation and forfeiture was entered, and the court ordered the product released to the claimant, the Potomac Sales Co., Inc., Washington, D. C., under a bond conditioned that it be relabeled in conformity with the law.

M. L. WILSON, *Acting Secretary of Agriculture.*